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105TH CONGRESS }  
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SENATE

{ REPORT  
105-323

### NATIONAL HISTORIC TRAILS INTERPRETIVE CENTER IN CASPER, WYOMING

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SEPTEMBER 9, 1998.—Ordered to be printed

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Mr. MURKOWSKI, from the Committee on Energy and Natural  
Resources, submitted the following

### REPORT

[To accompany H.R. 2186]

The Committee on Energy and Natural Resources, to which was referred the Act (H.R. 2186) to authorize the Secretary of the Interior to provide assistance to the National Historic Trails Interpretive Center in Casper, Wyoming, having considered the same, reports favorably thereon without amendment and recommends that the Act do pass.

#### PURPOSE OF THE MEASURE

The purpose of H.R. 2186 is to authorize the Bureau of Land Management to assist the city of Casper, Wyoming, and the National Historic Trails Foundation, Inc. in establishing the National Historic Trails Interpretive Center to memorialize and interpret the significant role of those historic trails in the history of the United States.

#### BACKGROUND AND NEED

The National Historic Trails Center (Center) in Casper, Wyoming, began as a cooperative project in 1991 between the city of Casper, the State of Wyoming, the Bureau of Land Management (BLM), and the nonprofit National Historic Trails Center Foundation (Foundation). The Center site overlooks the following four congressionally-designated national historic trails as they trace their way along the North Platte River Valley: the Oregon Trail, California Trail, Mormon Pioneer Trail, and the Pony Express Trail. These trails are a distinctive part of our nation's past and they possess important historic and cultural values representing themes of

migration, settlement, transportation, and commerce that shaped the landscape of the West.

As planned, the Center will house displays interpreting the lasting impacts of the trails and provide exhibits depicting pioneer travels. The Center would also focus on Native Americans, the role of pioneer women, and the political significance of the western movement.

Strong support for this project exists at the local and State level. The Wyoming Legislature and Natrona County have approved an additional sales tax to provide funding for the Trails Center project. The city of Casper has committed to donate the land for the Center. In addition, the Foundation has raised \$3 million toward the \$4.5 million commitment for the project. The Foundation plans to purchase and install the exhibits, equipment, and furnishings at the Center and provide an endowment of at least \$1 million to help defray maintenance and operating costs.

Approximately \$450,000 has been expended by the BLM for preliminary engineering and design projects.

#### LEGISLATIVE HISTORY

H.R. 2186 was introduced by Congresswomen Barbara Cubin, on July 17, 1997. On March 30, 1998, H.R. 2186 passed the House of Representatives by voice vote, and was referred to the Senate Energy and Natural Resources Committee on March 31, 1998. The Subcommittee on National Parks, Historic Preservation and Recreation held a hearing on H.R. 2186 on June 18, 1998.

At its business meeting on July 29, 1998, the Committee on Energy and Natural Resources ordered H.R. 2186, favorably reported.

#### COMMITTEE RECOMMENDATION AND TABULATION OF VOTES

The Committee on Energy and Natural Resources, in open business session on July 29, 1998, by a unanimous voice vote of a quorum present, recommends that the Senate pass H.R. 2186, as described herein.

#### SECTION-BY-SECTION ANALYSIS

*Section 1* sets forth congressional findings, including: that the city of Casper, Wyoming, is the location where four historic trails and many Indian routes converge; that the Bureau of Land Management (BLM), the city of Casper, and the National Historic Trails Foundation have signed a cooperative agreement to create and manage a National Historic Trails Interpretive Center located in Casper Wyoming; that the State of Wyoming has joined the partnership through the allocation of supporting funds; that the city of Casper has increased taxes to meet their financial obligation under the cooperative agreement, and that the BLM has completed the engineering and design phase of the center.

*Section 2(a)* directs the Secretary of the Interior, acting through the Director of the Bureau of Land Management to construct and operate a National Historic Trails Interpretive Center on the lands donated by the city of Casper.

*Subsection (b)* directs the Secretary subject to appropriations to construct, operate, and maintain facilities for the Center in co-

operation with the city and the Foundation and in accordance with a 1993 MOU between the BLM, the city and the Foundation.

*Subsection (c)* authorizes the Secretary to accept, retain and expend (subject to appropriations) donations of funds, property, or services for the development and operation of the Center.

*Subsection (d)* authorizes the BLM to collect entrance fees and use these amounts to operate the Center.

*Subsection (e)* authorizes the Secretary to allow private entities to operate concession facilities at the Center, and to expend, subject to appropriations, revenues recovered from concession operations for development and operation of the Center.

*Subsection (f)* authorizes \$5,000,000 to carry out the provisions of this legislation.

#### COST AND BUDGETARY CONSIDERATIONS

The following estimate of costs of this measure has been provided by the Congressional Budget Office:

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, August 6, 1998.*

Hon. FRANK H. MURKOWSKI,  
*Chairman, Committee on Energy and Natural Resources,*  
*U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 2186, an act to authorize the Secretary of the Interior to provide assistance to the National Historic Trails Interpretive Center in Casper, Wyoming.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts are Victoria V. Heid (for federal costs), and Marjorie Miller (for the state and local impact).

Sincerely,

JUNE E. O'NEILL, *Director.*

Enclosure.

#### CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

*H.R. 2186—An act to authorize the Secretary of the Interior to provide assistance to the National Historic Trails Interpretive Center in Casper, Wyoming*

Summary: H.R. 2186 would direct the Secretary of the Interior, acting through the Director of the Bureau of Land Management (BLM), to construct, operate, and maintain a National Historic Trails Interpretive Center in Casper, Wyoming. CBO estimates that implementing the act would cost BLM about \$2 million in fiscal year 2000 and about \$6 million over the 2000–2003 period, assuming appropriation of the necessary amounts. Because enacting H.R. 2186 would increase offsetting receipts beginning in fiscal year 2002, pay-as-you-go procedures would apply, but we estimate the increase would total less than \$500,000 per year beginning in fiscal year 2002.

H.R. 2186 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.

Estimated cost to the Federal Government: The estimated budgetary impact of H.R. 2186 is shown in the following table. The costs of this legislation fall within budget function 300 (natural resources and environment).

[By fiscal year, in millions of dollars]

	1999	2000	2001	2002	2003
CHANGES IN SPENDING SUBJECT TO APPROPRIATION					
Estimated authorization level .....	0	5	0	(1)	(1)
Estimated outlays .....	0	2	3	(1)	(1)
CHANGES IN DIRECT SPENDING					
Estimated authorization level .....	0	0	0	(1)	(1)
Estimated outlays .....	0	0	0	(1)	(1)

<sup>1</sup> Less than \$500,000.

Basis of estimate: Under H.R. 2186, BLM would construct, operate, and maintain a National Historic Trails Interpretive Center in Casper, Wyoming. BLM would build the center on land provided by the city of Casper, Wyoming. The agency would construct and operate the center in cooperation with the city and the National Historic Trails Interpretive Center Foundation, and in accordance with certain agreements made between the city, the foundation, and BLM.

Spending subject to appropriation: H.R. 2186 would authorize the appropriation of \$5 million to construct, operate, and maintain the National Historic Trails Interpretive Center. The act also would authorize the Secretary to collect an entrance fee from visitors, to allow private concessionaires to operate at the center, and to use income from visitor fees, concession collections, and donations to develop and operate the center, subject to appropriation action.

Based on information from BLM and the foundation, CBO estimates that total discretionary outlays to construct and operate the center would be about \$2 million in fiscal year 2000 and about \$6 million over the 1999–2003 period, assuming appropriation of the authorized amount for construction and the estimated amounts for annual operations beginning in 2002. We estimate that BLM's outlays to construct the center would be about \$2 million in fiscal year 2000 and about \$3 million in fiscal year 20001. Once construction is complete, BLM's outlays to operate the center would total about \$300,000 per year. For purposes of this estimate, we assume that H.R. 2186 would be enacted by the beginning of fiscal year 1999 and that the Congress would appropriate funds to construct the center in fiscal year 2000.

Direct spending (including offsetting receipts): Based on information from BLM and the foundation, CBO estimates that offsetting receipts from visitor fees and concessions would total about \$200,000 per year once construction is complete and the center opens in fiscal year 2002. The spending of such receipts would be subject to appropriation action.

Pay-as-you-go considerations: The Balanced Budget and Emergency Deficit Control Act sets up pay-as-you-go procedures for legislation affecting direct spending of receipts. H.R. 2186 would decrease direct spending because it would result in offsetting receipts from entrance fees and concessions at the National Historic Trails Interpretive Center. Hence, pay-as-you-go procedures apply to the

act, but we estimate that the increase in offsetting receipts would not be significant.

Estimated impact on State, local, and tribal governments: H.R. 2186 contains no intergovernmental mandates as defined in UMRA and would impose no costs on state, local, or tribal governments. The state of Wyoming and local governments within the state have already agreed to provide considerable support for the center, but this support is, and would continue to be, voluntary. These governments have committed over \$3 million towards the project, including land to be donated by the city of Casper.

Estimated impact on the private sector: This act would impose no new private-sector mandates as defined in UMRA.

Previous CBO estimate: On March 19, 1998, CBO prepared a cost estimate for H.R. 2186 as ordered reported by the House Committee on Resources on March 11, 1998. The two versions of H.R. 2186 are identical, as are the estimated costs.

Estimates prepared by: Federal Costs: Victoria V. Heid; impact on State, Local, and Tribal Governments: Marjoire Miller.

Estimate approved by: Robert A. Sunshine, Deputy Assistant Director for Budget Analysis.

#### REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out H.R. 2186. The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from enactment of H.R. 2186, as ordered reported.

#### EXECUTIVE COMMUNICATIONS

The testimony of the Department of the Interior at the Subcommittee hearing follows:

##### STATEMENT OF FRAN CHERRY, ACTING ASSISTANT DIRECTOR FOR RENEWABLE RESOURCES AND PLANNING, BUREAU OF LAND MANAGEMENT

Thank you for the opportunity to testify on H.R. 2196. The Bureau of Land Management (BLM) supports the concept of H.R. 2186, a bill to authorize the Secretary of the Interior to provide assistance in the creation of a National Historic Trails Interpretive Center in Casper, Wyoming. Although the Center is a very worthy cause, we are concerned that Federal funding for this project may be unlikely. The bill authorizes the appropriation of \$5 million for construction of the National Historic Trails Interpretive Center. To put that figure in perspective, BLM's total nationwide construction funding request for Fiscal Year 1999 is slightly more than \$4 million. Those monies are greatly needed for the BLM's most urgent reconstruction and cor-

rective maintenance projects related to health and safety and resource protection as opposed to new construction.

The proposed National Historic Trails Center for Casper, Wyoming, began as a cooperative project in 1991. Its partners are the BLM, the City of Casper, the State of Wyoming, and the nonprofit National Historic Trails Center Foundation, Inc. The Center site overlooks four Congressionally designated national historic trails as they trace their way along the North Platte River Valley. The trails include the Oregon, California, Mormon Pioneer, and Pony Express trails. The site also overlooks the city of Casper and the regionally significant Bridger and Bozeman historic trails.

The BLM is a partner to this project through a memorandum of understanding signed by the Wyoming State Director, March 4, 1992, and a May 20, 1997, cooperative agreement. The BLM has spent approximately \$450,000, previously appropriated, for the engineering and design phase of the Center. The Center would house displays interpreting the lasting impact of the trails and provide visitor education on protecting the remaining pristine trail segments. Exhibits would depict the pioneers' travels and include a focus on Native Americans, the role of women, and the political significance of the western movement of Americans.

There is strong local and State support for this project. The Wyoming Legislature has appropriated \$700,000 and the Citizens of Natrona County, Wyoming, approved an additional sales tax for capital improvements including \$1.5 million for the Trails Center project. The City of Casper has donated \$700,000 to the Foundation and is committed to transfer, as a gift, land valued at about \$205,000 to the BLM as the site for the Center. The Foundation has raised \$3.5 million towards its \$4.5 million commitment for the project. The Foundation plans to purchase and install the exhibits, equipment, and furnishings at the future Center and maintain an endowment of at least \$1 million to help defray maintenance and operations costs of exhibits and displays.

The BLM in Wyoming completed an analysis of the proposed Trails Center in June of 1997. Even though the development of the visitor center is consistent with the goals of the Department's Outdoor Recreation and Tourism Initiatives, our major concern is the funding for construction and operation of the facility. As stated earlier, the \$5 million proposed for construction funding would amount to more than BLM's entire annual construction budget. In addition to the construction costs, we are concerned about the annual operation and maintenance costs for the visitor center which are estimated at \$450,000 annually. Entrance fees and revenues from the sale of interpretive materials may offset some of these costs, but are unlikely to provide full funding. Donations from the private sector can also help, although authority to accept or possibly solicit

those donations needs to be carefully crafted so as to be as useful as possible without jeopardizing the center's program. Also, funding for the center would be a significant new challenge for the BLM Wyoming recreation program which is already straining just to meet current demands.

The BLM's experience in managing other visitor centers reinforces the need for an assurance of annual operations and maintenance appropriations. It has been our experience that these types of facilities are an excellent mechanism for reaching large numbers of people, but are expensive to build and operate. The BLM remains committed to its partnership role and responsibility on behalf of national trails in Casper, Wyoming and considers the National Historic Trails Center an important goal. We will continue to work with our partners in this endeavor to seek sources of funding. Unfortunately, due to the scarce Federal dollars available, many worthy projects throughout the West remain proposals in need of dedicated funding.

It has come to our attention that efforts are being pursued through the appropriations process to shift substantial funding from the BLM's law enforcement program to construction of this center. We strongly oppose this proposal. The Administration's budget for FY99 includes a request for \$10,767,000 for BLM Resource Protection and Law Enforcement (this is the same as the 1998 enacted level). A reduction of \$5 million (as has been proposed) would effectively reduce the BLM's law enforcement program by 50 percent. Such a reduction would eliminate all of BLM's existing paid cooperative law enforcement agreements with state and local agencies and would also eliminate approximately 50 percent of BLM law enforcement officers. This would dramatically reduce BLM's ability to protect both the users of the public lands and the resources themselves. The BLM's law enforcement officials respond to a wide variety of circumstances including: protests and obstructions against lawful timber harvesting, the dumping of hazardous wastes, the theft and destruction of archaeological resources, marijuana eradication, the deliberate burning of the BLM wild horse facility in Burns, Oregon and the vandalism to the Eye of the Needle landmark in Montana.

This concludes my statement. I will be glad to answer any questions you may have.

#### CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by H.R. 2186, as ordered reported.